

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Irina Assur, :
Plaintiff, :
 :
v. : File No. 2:06 CV 239
 :
Central Vermont Medical Center, :
Roseanne Palmer, Helen Spring, :
Rick Theken, and Daria Mason, :
Defendants. :

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed December 20, 2012. Plaintiff's objections were filed on January 18, 2013.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b) (1); *Perez-Rubio v. Wyckoff*, 718 F.Supp. 217, 227 (S.D.N.Y. 1989). The district judge may "accept, reject, or modify, in whole or in part, the magistrate's proposed findings and recommendations." *Id.*

After careful review of the file, the Magistrate Judge's Report and Recommendation and the objections, this Court ADOPTS the Magistrate Judge's recommendations in full.

The defendants' motion for summary judgment (Doc. 117) is **GRANTED** because Plaintiff's claims are barred by the statute of limitation. In addition, the defendants' motion is also

GRANTED on the basis of statutory immunity, 26 V.S.A. §1582(d),
3 V.S.A. §128(d), because the report to the nursing board was
not made in bad faith.

Case closed.

Dated at Burlington, in the District of Vermont, this 28th
day of January, 2013.

/s/ William K. Sessions III
William K. Sessions III
District Court Judge